

Stephen E. W. Hale (5285)
Bentley J. Tolk (6665)
Rodger M. Burge (8582)
PARR BROWN GEE & LOVELESS
101 South 200 East, Suite 700
Salt Lake City, Utah 84111
Telephone: (801) 532-7840
Facsimile: (801) 532-7750
shale@parrbrown.com
btolk@parrbrown.com
rburge@parrbrown.com

John W. Mackay (6923)
RAY QUINNEY & NEBEKER P.C.
36 South State Street, Suite 1400
Salt Lake City, Utah 84111
Telephone: (801) 532-1500
Facsimile: (801) 532-7543
jmackay@rqn.com

Thomas E. Lavender III (admitted pro hac
vice)
Kristopher R. Alderman (admitted pro hac
vice)
FISHER BROYLES, LLP
945 East Paces Ferry Road, Suite 2000
Atlanta, Georgia 30326
Telephone: (404) 400-4500
Facsimile: (404) 596-8887
ted.lavender@fisherbroyles.com
kris.alderman@fisherbroyles.com

Attorneys for Defendant ELAP Services, LLC

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

IHC HEALTH SERVICES, INC., a non-profit
Utah corporation,

Plaintiff,

v.

ELAP SERVICES, LLC, a limited liability
company,

Defendant.

**STIPULATED MOTION FOR 14-
DAY STAY OF ALL CASE
DEADLINES**

Case No. 2:17-cv-01245-JNP-DAO

Judge Jill N. Parrish

Magistrate Judge Daphne A. Oberg

Defendant ELAP Services, LLC (“ELAP”) and plaintiff IHC Health Services, Inc. (“Intermountain”), by and through their counsel of record in this matter, hereby stipulate and move the Court to stay for 14 days all deadlines in this case that fall within the time frame of June 5, 2020 through and including June 19, 2020, including without limitation the following deadlines: (1) ELAP’s response to Intermountain’s Short Form Discovery Motion to Quash ELAP’s Subpoenas on Intermountain’s Employees (Dkt. 148); (2) ELAP’s responses and objections to Intermountain’s Fourth Continuing Discovery Requests and Interrogatories; (3) Intermountain’s obligation to produce documents pursuant to the Court’s May 21, 2020 Order Granting in Part ELAP’s Short Form Discovery Motion Concerning IHC’s Refusal to Produce Claims Information (Dkt. 142); (4) ELAP’s obligation to supplement its discovery responses pursuant to the Court’s May 21, 2020 Order Granting IHC’s Short Form Discovery Motion to Compel ELAP to Produce Updated Information Identifying ELAP-Affiliated Patients and Claims (Dkt. 143); (5) a pending ruling from the Court arising from the parties’ cross-briefing on the Court’s authority to order production of information related to patients who have revoked HIPAA waivers and for which physician-patient privilege and/or HIPAA protection is asserted (Dkt. 142) and (6) the June 9, 2020 fact discovery cutoff.

Good cause exists for the requested stay because, as counsel for the parties verbally communicated to Magistrate Judge Oberg’s Courtroom Deputy and law clerk on June 5, 2020, the parties anticipate filing a stipulated motion and proposed order to dismiss this case with prejudice during the 14-day stay. In the unlikely event the stay expires without the filing of a stipulated motion to dismiss the case, the parties reserve all arguments that exist as of the date of this Motion. This Motion is timely because the deadlines at issue have not expired.

A copy of the proposed Order Granting Stipulated Motion for 14-Day Stay of All Case Deadlines is attached as Exhibit “A.”

Respectfully submitted this 5th day of June, 2020.

PARR BROWN GEE & LOVELESS

By: /s/ Rodger M. Burge
Rodger M. Burge
Attorneys for Defendant ELAP Services, LLC

MANNING CURTIS BRADSHAW & BEDNAR, PLLC

By: /s/ Chad R. Derum
Chad R. Derum
Attorneys for Plaintiff IHC Health Services, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of June, 2020, a true and correct copy of the foregoing **STIPULATED MOTION FOR 14-DAY STAY OF ALL CASE DEADLINES** was served via electronic service on the following:

Alan C. Bradshaw
Chad R. Derum
Douglas J. Crapo
MANNING CURTIS BRADSHAW & BEDNAR PLLC
136 E. South Temple, Suite 1300
Salt Lake City, Utah 84111
abradshaw@mc2b.com
cderum@mc2b.com
dcrapo@mc2b.com

John W. Mackay
RAY QUINNEY & NEBEKER P.C.
36 South State Street, Suite 1400
Salt Lake City, Utah 84111
jmackay@rqn.com

Thomas E. Lavender III
Kristopher R. Alderman
FISHER BROYLES, LLP
945 East Paces Ferry Road, Suite 2000
Atlanta, Georgia 30326
Telephone: (404) 400-4500
ted.lavender@fisherbroyles.com
kris.alderman@fisherbroyles.com

/s/ Rodger M. Burge _____